THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 14898 of 2005

DATED: 27-07-2005

Between:

Didigam Venkata Narasimha Rao S/o Late SRi D. Shankaraiah
R/o Yadagirigutta, Nalgonda District

..... PETITIONER

AND

1 The Commissioner,

Endowments Department,

Tilak Road, Abids, Hyderabad and others.

.....RESPONDENTS

ORDER:

The grievance of the petitioner in the writ petition is that, despite the order of this Court in W.P.No.14375 of 2005, dated 05.07.2005, directing the Commissioner, Endowments Department, to dispose of the revision preferred by the petitioner within two weeks from the date of receipt of a copy of the order, no orders as yet have been passed in the revision preferred by the petitioner.

Learned Government Pleader for Endowments, on instructions, submits that orders are likely to be passed in the revision petition in the next few days.

The grievance of the petitioner is that in the meanwhile, the third and fourth respondents are proceeding to conduct auction for the shop,

which was under the occupation of the petitioner and which is the subject matter of the revision before the first respondent. It is further contended that if the auction is permitted to be held and finalized, it would result in creation of third party rights and in some other person occupying the premises and which would render the revision petition filed by the petitioner redundant.

Sri.R.Vijayanandan Reddy, learned counsel for the petitioner submits that the petitioner is put to loss on both fronts. On the one hand his revision petition is not being finalized and if on the other hand he participates in the auction to be held today, his participation would be put against him in the revision petition pending before the first respondent.

The writ petition is disposed of directing the third and fourth respondents not to finalise the auction, till the revision petition filed by the petitioner is heard and disposed of by the first respondent. It is also open to the petitioner, to participate in the auction, without prejudice to his rights in the revision petition pending before the first respondent.

The writ petition is accordingly disposed of. No order as to costs.

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(RAMESH RANGANATHAN, J)

Dated: 27-07-2005

vs